

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION

State of Texas, et al.,

Plaintiffs,

v.

United States Department of Homeland
Security, *et al.*,

Defendants.

CASE NO. 6:24-CV-306-JCB

JOINT NOTICE OF STIPULATIONS

Plaintiff States and the Federal Defendants (the “Parties”) adopt the following stipulations:

Stipulation No. 1: Subject to Stipulation No. 2, Plaintiffs stipulate that they will only seek to establish Article III injury based on alleged injuries to Texas and that they will not submit any evidence as to injury for any other State Plaintiff. Plaintiffs further stipulate that they will only seek to establish irreparable injury for purposes of any equitable relief based on alleged harm to Texas and that they will not submit any evidence as to irreparable harm for any other State Plaintiff. Subject to the limitations above, this stipulation does not prejudice the right of any Party to argue the proper scope of any relief or whether Article III standing is satisfied in this case. Federal Defendants stipulate that their discovery requests (currently propounded and future) are limited to Texas.

Stipulation No. 2: The Parties stipulate that Plaintiffs may not attempt to introduce new evidence of injury or irreparable harm to any State other than Texas absent new reciprocal discovery regarding injuries or harm to any such State for purposes of standing or scope of relief. This applies to any attempt by Plaintiffs to introduce such new evidence at any

stage of this case, including after any remand should Plaintiffs prevail in district court but that decision is reversed by a higher court.

Dated: August 29, 2024

Respectfully submitted,

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

WILLIAM C. PEACHEY
Director
Office of Immigration Litigation
District Court Section

EREZ REUVENI
Senior Counsel

KATIE J. SHINNERS
BRIAN C. WARD
Senior Litigation Counsels

JOSEPH A. DARROW
ELISSA P. FUDIM
Trial Attorneys

/s/ Erin T. Ryan
ERIN T. RYAN
Trial Attorney
U.S. Department of Justice
Civil Division
Office of Immigration Litigation
District Court Section
P. O. Box 868, Ben Franklin Station
Washington, DC 20044
Tel.: (202) 532-5802
Email: erin.t.ryan@usdoj.gov

Counsel for Federal Defendants

KEN PAXTON

Attorney General of Texas

BRENT WEBSTER

First Assistant Attorney General

RALPH MOLINA

Deputy First Assistant Attorney General

AUSTIN KINGHORN

Deputy Attorney General for Legal Strategy

/s/ Ryan D. Walters

RYAN D. WALTERS

Chief, Special Litigation Division

Texas Bar No. 24105085

Ryan.Walters@oag.texas.gov

KATHLEEN T. HUNKER

Special Counsel

Texas Bar No. 24118415

Kathleen.Hunker@oag.texas.gov

GARRETT GREENE

Special Counsel

Texas Bar No. 24096217

Garrett.Greene@oag.texas.gov

Office of the Attorney General of Texas

Special Litigation Division

P.O. Box 12548, Capitol Station

Austin, Texas 78711-2548

Telephone: 512-463-2100

Fax: 512-457-4410

GENE P. HAMILTON

Virginia Bar No. 80434

JAMES ROGERS

Arizona Bar no. 027287

RYAN GIANNETTI

DC Bar no. 1613384

America First Legal Foundation

611 Pennsylvania Ave. SE #231

Washington, DC 20003

(202) 964-3721

Gene.Hamilton@aflegal.org

James.Rogers@aflegal.org

Ryan.Giannetti@aflegal.org

COUNSEL FOR PLAINTIFF

STATE OF TEXAS

RAÚL R. LABRADOR

Idaho Attorney General

/s/ Alan Hurst

Alan Hurst

Solicitor General

Michael A. Zarian

Deputy Solicitor General

Office of the Idaho Attorney General

P.O. Box 83720

Boise, Idaho 83720

(208) 334-2400

Alan.Hurst@ag.idaho.gov

Michael.Zarian@ag.idaho.gov

COUNSEL FOR STATE OF IDAHO

STEVE MARSHALL
Attorney General of Alabama

/s/ Robert M. Overing

ROBERT M. OVERING
Deputy Solicitor General
Robert.Overing@AlabamaAG.gov
Office of the Attorney General of Alabama
501 Washington Avenue
Montgomery, Alabama 36130
Telephone: (334) 242-7300
Fax: (334) 353-8400

COUNSEL FOR STATE OF ALABAMA

TIM GRIFFIN
Attorney General of Arkansas

Nicholas J. Bronni
Solicitor General

/s/ Dylan L. Jacobs

DYLAN L. JACOBS*
Deputy Solicitor General
Office of the Arkansas Attorney General
323 Center Street, Suite 200
Little Rock, AR 72201
Telephone: (501) 682-2007
Dylan.jacobs@arkansasag.gov
Counsel for State of Arkansas
**admission application forthcoming*

ASHLEY MOODY
Attorney General of Florida

s/ James Percival

JAMES H. PERCIVAL
Chief of Staff
Office of the Attorney General
The Capitol, PI-01
Tallahassee, Florida 32399-1050
(850) 414-3300
(850) 410-2672 (fax)
James.percival@myfloridalegal.com

COUNSEL FOR STATE OF FLORIDA

CHRISTOPHER M. CARR
Attorney General of Georgia

/s/Stephen J. Petrany

STEPHEN J. PETRANY
Solicitor General
Office of the Attorney General
40 Capitol Square, SW
Atlanta, Georgia 30334
(404) 458-3408
spetrany@law.ga.gov

COUNSEL FOR STATE OF GEORGIA

**PHV Application Forthcoming*

BRENNA BIRD
Attorney General of Iowa

/s/ Eric H. Wessan

ERIC H. WESSAN
Solicitor General
1305 E. Walnut Street
Des Moines, Iowa 50319
(515) 823-9117
(515) 281-4209 (fax)
eric.wessan@ag.iowa.gov

COUNSEL FOR STATE OF IOWA

KRIS W. KOBACH
Attorney General of Kansas

s/ Abhishek S. Kambli

ABHISHEK S. KAMBLI
Deputy Attorney General – Special Litigation
& Constitutional Issues Division
120 SW 10th Avenue, 2nd Floor
Topeka, Kansas 66612
Phone: (785) 296-6109 | Fax: (785) 221-3938
abhishek.kambli@ag.ks.gov

COUNSEL FOR STATE OF KANSAS

ELIZABETH B. MURRILL
Attorney General of Louisiana

s/ J. Benjamin Aguiñaga
J. BENJAMIN AGUIÑAGA*
Solicitor General
Office of the Attorney General
1885 N. 3rd St.
Baton Rouge, LA 70802
(225) 506-3746
AguinagaB@ag.louisiana.gov

COUNSEL FOR STATE OF LOUISIANA
**admission application forthcoming*

ANDREW BAILEY
Attorney General of Missouri

/s/ Samuel C. Freedlund
SAMUEL C. FREEDLUND, 73707MO
Deputy Solicitor General
Office of the Attorney General
815 Olive St., Suite 200
St. Louis, MO 63188
Phone: (314) 340-4869
Fax (573) 751-1774
Samuel.Freedlund@ago.mo.gov

COUNSEL FOR THE STATE OF MISSOURI

DREW H. WRIGLEY
Attorney General of North Dakota

/s/ Philip Axt
PHILIP AXT*
Solicitor General
Office of Attorney General
600 E. Boulevard Ave Dept. 125
Bismarck, ND 58505
Phone: (701) 328-2210
pjaxt@nd.gov

COUNSEL FOR STATE OF NORTH DAKOTA
**PHV application forthcoming*

DAVE YOST
Attorney General of Ohio

/s/ T. Elliot Gaiser
T. ELLIOT GAISER*
Ohio Solicitor General
30 East Broad Street, 17th Floor
Columbus, Ohio 43215
614.466.8980
614.466.5087 fax
thomas.gaiser@ohioago.gov

COUNSEL FOR STATE OF OHIO
**PHV Application Pending*

MARTY JACKLEY
Attorney General of South Dakota

/s/ Clifton E. Katz
CLIFTON E. KATZ
Assistant Attorney General
1302 E. Highway 14, Suite 1
Pierre, South Dakota 57501
Telephone: 605-773-3215
E-Mail: clifton.katz@state.sd.us

COUNSEL FOR STATE OF SOUTH DAKOTA

ALAN WILSON
Attorney General of South Carolina

s/ J. Emory Smith, Jr.
JAMES EMORY SMITH, JR.
Deputy Solicitor General
Email: esmith@scag.gov
Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
Phone: (803) 734-3642
Fax: (803) 734-3677

COUNSEL FOR STATE OF SOUTH CAROLINA
**Application for Admission Forthcoming*

JONATHAN SKRMETTI

Attorney General of Tennessee

/s/ Whitney D. Hermandorfer

WHITNEY D. HERMANDORFER

Director of Strategic Litigation

Tennessee Bar. No. 041054

Whitney.Hermandorfer@ag.tn.gov

Office of the Tennessee Attorney General

P.O. Box 20207

Nashville, Tennessee 37202

(615) 741-8726

BRIDGET HILL

Attorney General of Wyoming

/s/ Ryan Schelhaas

RYAN SCHELHAAS*

Chief Deputy Attorney General

109 State Capitol

Cheyenne, WY 82002

(307) 777-5786

ryan.schelhaas@wyo.gov

COUNSEL FOR STATE OF WYOMING

**motion for pro hac vice admission forthcoming*

CERTIFICATE OF SERVICE

I hereby certify that on August 29, 2024, I electronically filed this joint notice with the Clerk of the Court for the United States District Court for the Eastern District of Texas by using the CM/ECF system. Counsel in the case are registered CM/ECF users and service will be accomplished by the CM/ECF system.

/s/ Erin T. Ryan
ERIN T. RYAN
U.S. Department of Justice